

Town of New Windsor

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OFFICE OF THE PLANNING BOARD
WEDNESDAY — MARCH 8, 2006 - 7:30 PM
TENTATIVE AGENDA

MAR 2006
TOWN CLERK'S OFFICE

CALL TO ORDER

ROLL CALL

ANNUAL MOBILE HOME PARK REVIEW:

- A. WINDMERE MOBILE HOME PARK — MT. AIRY ROAD

PUBLIC HEARING:

1. MC QUADE FOUNDATION SITE PLAN (05-18) RT. 94 (HAMLIN)
Proposed 20,000 s.f. classroom addition with parking.

REGULAR ITEMS:

2. COVINGTON ESTATES (01-41) RT. 300 (ENGINEERING PROPERTIES)
Proposed condominium units.
3. CALLAHAN/CREAGAN LOT LINE CHANGE (05-28) FERNANDEZ DRIVE
(HILDRETH) Proposed residential Lot Line Change.
4. FRANK & TANYA MESSINA SUBDIVISION (06-05) BEATTIE ROAD
(HIGGINS) Proposed two-lot residential subdivision.
5. HIGHVIEW ESTATES SUBDIVISION/L.L.CHG (06-09) PAUL COURT
(ZIMMERMAN) Proposed four lot residential subdivision with lot line change.
6. ADC WINDSOR LOT LINE CHANGE (06-10) KINGS ROAD (SHAW) Proposed
residential lot line change.

CORRESPONDENCE:

7. VALLEY FIELDS ESTATES (SAWYER) SUBDIVISION (03-31) REQUEST FOR 2
6-MONTH EXTENSIONS OF PRELIMINARY APPROVAL
8. BRIARWOOD SUBDIVISION (01-60) REQUEST FOR 2 90-DAY EXTENSIONS
OF CONDITIONAL APPROVAL

ADJOURNMENT

(NEXT MEETING — MARCH 22, 2006)

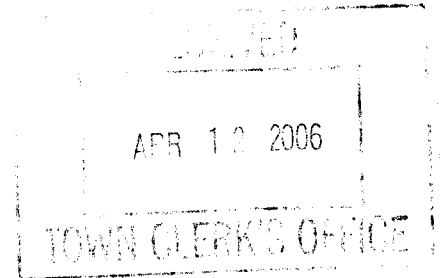
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TOWN OF NEW WINDSOR

PLANNING BOARD

MARCH 8, 2006



MEMBERS PRESENT: JERRY ARGENIO, CHAIRMAN
NEIL SCHLESINGER
HOWARD BROWN
JOSEPH MINUTA
DANIEL GALLAGHER

ALSO PRESENT: MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

MICHAEL BABCOCK
BUILDING INSPECTOR

ANDREW KRIEGER, ESQ.
PLANNING BOARD ATTORNEY

ABSENT: HENRY VAN LEEUWEN

MYRA MASON
PLANNING BOARD SECRETARY

REGULAR MEETING

MR. ARGENIO: I'd like to call to order the March 8, 2006 meeting of the New Windsor Planning Board. Please stand for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance was recited.)

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ANNUAL_MOBILE_HOME_PARK_REVIEW

WINDMERE_MOBILE_HOME_PARK

MR. ARGENIO: First thing is Windmere Mobile Home Park, Mt. Airy Road, is somebody here to represent this? Please come on up. What's your name, sir?

MR. JOHNSON: Dick Johnson.

MR. ARGENIO: Mike, someone from your office been to the Windmere Mobile Home Park?

MR. BABCOCK: Yes, they have, and everything is fine.

MR. ARGENIO: Have a check for \$475 made out to the Town of New Windsor?

MR. JOHNSON: I will.

MR. ARGENIO: If you'll give it to the acting secretary. I'll accept a motion for one year extension for the Windmere Mobile Home Park.

MR. MINUTA: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board extend for one year the Windmere Mobile Home Park. If there's no further discussion from the board members, I'll put it to a roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE

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MR. ARGENIO AYE

MR. ARGENIO: The minutes should reflect that Mark has now joined us and hopefully he's got some notes he's going to pass out for us.

MR. EDSALL: Just to add to the ones you have.

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PUBLIC HEARING:

MC_QUADE_FOUNDATION_SITE_PLAN_(05-18)

MR. ARGENIO: Tell us who you are for the record and tell us what you're doing and where you've been and how you're doing with the plan.

MR. MINUTA: Mr. Chairman, I have to recuse myself from this particular meeting.

MR. ARGENIO: Turn that a bit so the board can see that, you'll address us as a board and then we'll open up to the public for comments. So who are you?

MR. THAETE: I'm Dan Thaete.

MR. TOMOSKY: Eric Tomosky, T-O-M-O-S-K-Y.

MR. ARGENIO: It's yours.

MR. THAETE: Well, I know we've been before the board before, we're proposing approximately 24,000 square foot building in addition to the existing school which is in red, all of the proposed buildings are in red which is the addition and the maintenance building and all of the work, that being the pavement and grading, et cetera, is shown in color so that's pretty much, we're doing some parking modifications, adding additional parking, providing some emergency access routes throughout the campus and obviously providing storm water management.

MR. ARGENIO: This plan is quite different from the one we saw a few months ago, there was a parking issue somewhere coming down the main driveway, is it a width, road width issue, Mark, or parking issue?

MR. EDSALL: There was a request for additional parking and I had some concerns about the turning radius,

they've worked on all those issues.

MR. ARGENIO: I go to look at Mark's bullet number 2, although I may concur that the total quantity of parking computed may be adequate, does that mean it meets code, Mark?

MR. EDSALL: It does.

MR. ARGENIO: Okay, there are some inconsistencies in the parking area table sheet L-100 and the parking compliance as follows, the plan indicates that there are a total of a 133 parking spaces of which you have 6 are handicapped, the plan only depicts 127 spaces of which 6 are handicapped, what's the deal, missing some handicapped spaces? Are they somewhere where he's missing them?

MR. THAETE: We feel comfortable that we're accurate in our chart, if you'd like we can sit down, Mark maybe can go through the parking.

MR. ARGENIO: I'd like to know what's the count, how many regular spaces, how many handicapped?

MR. THAETE: We have a 133 regular spaces and I believe we have 6 handicapped spaces.

MR. ARGENIO: Six are part of the 133?

MR. THAETE: Yes.

MR. ARGENIO: It's 127 plus 6?

MR. THAETE: The 133 is the requirement for parking.

MR. EDSALL: Mr. Chairman, I'm just going to preface my comment that it meets the code, that is assuming that the board accepts the table and that any of the questions we have on the table are resolved but to my

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best judgment at this point I believe it's fine once we get those answers on the record.

MR. ARGENIO: The school addition has a footprint of approximately 22,100 feet and is indicated as two story, how come the total floor areas 26,052 feet?

MR. THAETE: Read that again real quick.

MR. ARGENIO: The school with the addition has a footprint of approximately 22,100 square feet and I'm not going to go through all the comments, just want to touch on some of the highlights and is indicated as two story house, it that the total floor area is 26,052 square feet, Mark, can you elaborate?

MR. EDSALL: I'm just wondering if there's only a portion of the addition that's two story, if it's all two story.

MR. TOMOSKY: Only a portion is two story.

MR. EDSALL: We probably need to have it broken out, he had asked to have the areas defined more closely and that's an open issue, obviously when you have a footprint of 22,000 it's hard to get 26 for a two story building unless there's very limited second story.

MR. THAETE: I mean we do have a second story, it's not a full second story, we have a lot of vaulted areas which create room, not necessarily square footage.

MR. ARGENIO: And he has the same comment on the administration building, I would assume you have the same issues there?

MR. EDSALL: If it's floor area, it's floor area.

MR. THAETE: There's no floor then there's no floor area vice versa.

MR. EDSALL: Correct, so we just need to know how much real second floor area you have and if the table had some additional information that would answer the question.

MR. THAETE: Okay.

MR. EDSALL: The calculation for parking for the school is not necessarily based on square footage anyway so we're just trying to get the plan in final form.

MR. ARGENIO: What about the DOT, have they had any comment or made any comment about where you're intersecting the right-of-way or any other work you have to do in the right-of-way?

MR. THAETE: We're not doing any work in the right-of-way except for a water main connection, we're in the process of submitting to the DOT for the water main connection.

MR. ARGENIO: So you have to get a road opening permit for that?

MR. THAETE: Yes, we do.

MR. ARGENIO: You guys have a lot of comments here, lot of comments, notwithstanding that, does anybody else have anything that they, I mean, we've seen this quite a few times, 8 June, 30 November, go ahead, Neil.

MR. SCHLESINGER: There seems to be a question about the pool, did you address that?

MR. THAETE: Yes, we've shown the pool, the pool's being designed by Joe Minuta Architects, we're showing in our plan simply for coordination issues emergency access issues to make sure that all that information is taken care of and it's been, the pool has been wrapped

into the project as a whole so we're showing it on all the sheets, showing how it ties into our site plan.

MR. SCHLESINGER: Okay, what does pool area not in contract, what does that mean?

MR. THAETE: Well, we're going to have separate contractors for, one for the pool and one for the remainder of the site so we're basically the plans that you see are plans that are for the school, the contractor's doing the school and Joe will have plans for the pool which are separate.

MR. SCHLESINGER: Doesn't the pool reflect parking or anything?

MR. EDSALL: The board had given the applicant authorization to move forward on the pool with the understanding that it would be part of the overall site plan amendment, initially they didn't add it in, we asked them to add it on so that's exactly what they said we have, they are now demonstrating that there is access so that we can look at parking near the pool, we can look at emergency access so they have done what we have asked, it's not in contract, just has to do with how they're going to bid it out.

MR. SCHLESINGER: Is there handicapped access to the pool?

MR. THAETE: Yes, there is.

MR. SCHLESINGER: And trailers to be removed by others not in contract?

MR. THAETE: Yes.

MR. SCHLESINGER: What does that mean?

MR. THAETE: Trailers will be removed by McQuade

themselves, they were installed by McQuade.

MR. SCHLESINGER: Temporary type trailers?

MR. THAETE: Yes.

MR. SCHLESINGER: So those are not on the plan cause they're going to be removed?

MR. THAETE: Correct.

MR. SCHLESINGER: Okay.

MR. ARGENIO: Okay, on the 21st day of February, 2006, 32 addressed envelopes were mailed out announcing the public hearing for tonight for this applicant. If there's anybody here in the audience who would like to comment for or against this application, please raise your hand and be recognized and come forward and state your name and address and you'll be heard. Yes, sir? Would you turn that so the audience can see that please? Yes, sir.

MR. MILLER: My name is Art Miller, I live in back directly in back of where this place is, McQuade, the school that you're going to build is going to come out toward my house?

MR. THAETE: That's correct, I believe your house is more towards this corner of your property if I'm not mistaken.

MR. ARGENIO: What street do you live on?

MR. EDSALL: Rocky Lane.

MR. MILLER: So where are you building it?

MR. THAETE: This is the addition, red square, this is your property right here.

MR. MILLER: How far out are you building this parking lot?

MR. THAETE: We're building this probably up to, I'm just guessing looking at the plan without a scale, probably about 40 feet off the property line.

MR. MILLER: Forty feet?

MR. THAETE: Yes.

MR. MILLER: Now, one of my neighbors was telling me that you're going to dig down?

MR. THAETE: That's correct.

MR. MILLER: To put the parking lot?

MR. THAETE: The finished floor of this building is equal with this building, if you look at the grades, the existing grades they go up the property so we're basically going to cut down so we have a flat pad to put the building parking on.

MR. MILLER: Okay, are you aware that at one time this was a septic tank, a septic system in there for McQuade?

MR. THAETE: I did hear that, yes.

MR. MILLER: If you get a flow of water down there the water goes somewhere.

MR. THAETE: We, I mean, we have a variety of storm structures that we're putting in, underdrains that we're putting in, I believe all the septic that used to be on this parcel is now hooked into a municipal system so they're no longer in use, simply remove whatever we hit.

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MR. MILLER: In other words in this spot here?

MR. THAETE: Yes.

MR. ARGENIO: So you'll have a drain going right through the parking lot where he's pointing, is that right?

MR. THAETE: That's correct.

MR. ARGENIO: How close when you do that cut for that parking lot that's a cut I assume is that right?

MR. THAETE: Yes.

MR. ARGENIO: How close is your disturbance to his property line?

MR. THAETE: Well--

MR. EDSALL: About 35 feet.

MR. ARGENIO: To the curb, Mark?

MR. EDSALL: From the retaining wall about 30 foot to the retaining wall, 35 foot to the property line from the parking lot.

MR. THAETE: The retaining wall is a big fat line that's right behind the parking area.

MR. MILLER: How high is the retaining wall?

MR. THAETE: Highest part in the corner will be roughly 10, 12 feet.

MR. ARGENIO: And you're going to have a fence on that, is that right?

MR. THAETE: Of course, yes.

MR. MILLER: Safety so kids can't fall down?

MR. THAETE: Yes.

MR. TOMOSKY: And it will be buffered from the neighbors with plantings.

MR. ARGENIO: Yes, I see that, that's a nice idea. Is that it?

MR. MILLER: That was my only question.

MR. ARGENIO: Anybody else?

MR. SCHLESINGER: I'd like to make a motion to close the public hearing to the McQuade Foundation site plan.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the McQuade Foundation site plan, if there's no further discussion, I'll have a roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Okay, let's open it back up to the board members. It should be noted for the minutes that the Dormitory Authority State of New York assumed the position of lead agency for this application and they have adopted a negative dec on July 11, 2005. Mark, was there anything further we needed to do procedurally

with that issue, that's a dead issue as far as we're concerned, isn't it?

MR. EDSALL: The only thing you would do is if you had any reason to disagree with it, I looked at the file and I asked for some more information that they sent down a copy of the entire record, although the state school SEQRA procedures are slightly different than the municipal forms, they did a full review so I would think it's done.

MR. ARGENIO: Okay, I think that you guys need to clean this up a little bit, I mean, there's quite a few bullets here, there's quite a few items that need attention, a lot of them are certainly items with the plans but I think it should get to a further level of finality before we take this where inevitably we'll very likely go, in addition to that, we have not heard from Orange County Planning. Mark, is there anything else here that I'm missing here?

MR. EDSALL: No, that's the key, even if you wanted to conditionally approve it based on the plans being corrected, you couldn't act because we need to hear from the County Planning Department so--

MR. ARGENIO: And I don't, I would not be prepared to make that recommendation, I mean, there's, you need to clean these plans up.

MR. THAETE: I agree, I just wanted to state that you know reading through the comments they're pretty minor in nature, a lot of detail oriented comments.

MR. ARGENIO: I just said that I don't dispute that but there's a lot of them, there's a lot of detail stuff here but and it needs to be cleaned up.

MR. THAETE: And I'm just stating that the, by us making these changes is not going to substantially

change the plans one bit, you're looking at details not specifically plan oriented information that will change the plan.

MR. ARGENIO: Anybody else disagree with what I said?

MR. SCHLESINGER: I agree, details are important to me, I don't know how they are to you.

MR. ARGENIO: You need to hear from Orange County Planning.

MR. SCHLESINGER: I have always had a problem with this plan and I think it's always been addressed and not really, we didn't cross our T's and dot our I's on it and that was traffic flow and I'm looking at this plan, the signage plan and I'm not exactly sure I understand it, there's a shaded area here, your plan is from here very difficult for me to understand any sort of traffic flow there so I'm looking at this one which is just that plan and I'm not sure what the traffic flow is by Schaffer Cottage.

MR. TOMOSKY: That's because we have minimized the traffic in front of Schaffer Cottage, that's just for access.

MR. ARGENIO: Almost looks like a little driveway there.

MR. SCHLESINGER: I understand that but what's separating that access, is there a crash gate, is there a gate?

MR. TOMOSKY: We had crash gates and that was one of the fire department's objections.

MR. SCHLESINGER: I understand that so has to prevent that from being used on a regular basis for the regular traffic flow if I'm reading the plan correctly and I

see your shaded area here, you have an island center or boulevard type of effect here which sits fine with me but the thing is if you have an open access to another way to get out.

MR. TOMOSKY: There's going to be signage.

MR. SCHLESINGER: Are we going to have a policeman there?

MR. THAETE: In the plans that we do show do not, in the plan set we do show do not enter signs and we show a one way arrow, that's about as far as we can take it.

MR. SCHLESINGER: You have signage one way only and do not enter or whatever it may be?

MR. THAETE: That's correct.

MR. ARGENIO: I think too there's only one building down there, it's not like there's a slew of buildings.

MR. SCHLESINGER: There's got to be parking for the building and people, you know human nature, people like to take the shortest path or whatever it may be, just as long as you have the appropriate controls for it, that's what my concern was.

MR. EDSALL: Mr. Chairman, one thing I could use some help on is some input from the applicant in discussion with the board on the dumpsters is there only the one shown on the plan or am I missing something?

MR. THAETE: We have dumpsters up here near Hillside Cottage, are those the ones that you remember seeing?

MR. EDSALL: Yeah.

MR. THAETE: There's existing dumpsters which are down, existing dumpster between Schaffer and Fulton as well.

MR. EDSALL: What about the administration building or the new school, is there going to be any waste disposal in those areas?

MR. THAETE: You're saying that the trash will be going up to behind the administration building, okay, so we don't specifically have a dumpster next to the new addition but--

MR. EDSALL: Would it make sense to have one down at the end of that rear parking area for you folks or no because that seems to be a rather large building if you don't have any place to take the garbage.

MR. THAETE: I'd be concerned about having a truck, he's going to pull in straight, pick the dumpster up, how's he going to turn around, he's going to have to back out, that's maybe not a good place for it.

MR. EDSALL: What would you suggest?

MR. MILLER: Nobody lives there, nobody lives in any of those buildings.

MR. ARGENIO: Mark, which building are you referring to?

MR. EDSALL: Well, I did not pick up on the one between Schaffer and Fulton so that takes care of the residential units, you've got one near the cottage but you have, effectively got the administration building and the school building which are the two largest buildings with no facilities, bring the issue up now and--

MR. ARGENIO: So it doesn't come up later.

MR. EDSALL: Exactly.

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MR. THAETE: We can visit the issues, that's not a problem.

MR. ARGENIO: I think you should.

MR. SCHLESINGER: Doing anything on lighting, I'm bringing these things up not to kill you, what I'm trying to do is we've seen you a lot and we'd like you to go your way, we'd like to go ours so the next time you come hopefully we can get all these things and not have to address them.

MR. TOMOSKY: We're addressing site lighting off of the building so it will be building packs.

MR. SCHLESINGER: We'd like to see those on the plans.

MR. TOMOSKY: Okay.

MR. ARGENIO: Anything else? So you're going to have to take a look at the dumpsters, we're going to need some refuse locations and show that building lighting, that's it. Thank you.

REGULAR_ITEMS:

COVINGTON_ESTATES_(01-41)

MR. ARGENIO: Application proposes development of the three tax parcels with 124 multi-family housing units. Application was previously reviewed at the 13 June, 2001, 10 October, 2001, 22 May, 2002, 25 September, 2002 and 9 July, 2003 planning board meetings. This project is before the board for conditional site plan approval at this meeting.

MR. WINGLOVITZ: Ross Winglovitz from Engineering Properties.

MR. CAPPELLO: John Cappello, Jacobowitz & Gubits here before you tonight requesting conditional final approval of Covington Estates. As you noted in the notice there's several meetings we've been to, everything has been resolved including public hearing, SEQRA's been taken care of, every issue is resolved and at the July meeting of 2003 I think it was, we came before this board and were told that basically everything was satisfied with the exception of the water issue which still remains. We're asking that the board grant conditional site plan approval subject to the project receiving water from the town.

MR. WINGLOVITZ: July 9, 2003 was the meeting we were at where we discussed the conditional approval and I think it was just tabled at that point because there wasn't an end in sight to water and I think at this point we would like to get that approval.

MR. ARGENIO: So from July 9 it was tabled at that point because of the water moratorium?

MR. WINGLOVITZ: Right.

MR. ARGENIO: And where have you been since then doing

anything on this since then?

MR. CAPPELLO: We have all our approvals, we have the health department approval, all the other agency approvals are here, the only issue really is the lifting of the water moratorium and we'll be ready to turn, you know, to get building permits.

MR. ARGENIO: What did you receive from July 9 until now, what approvals have you received specifically within--

MR. WINGLOVITZ: We had them all in hand, then we updated health department approval, that was the only approval that we have changed since then we updated it because of a new engineer on the project but other than that our company changed names so we just put, update our approval, put a new company name.

MR. ARGENIO: Mark, can you elaborate on your comment number 8 please?

MR. EDSALL: I'm just making sure the applicant on the record is aware that the New Windsor code has a sunset provision on expirations and you would have 180 days from the approval to meet the conditions. You obviously can get two 90 day extensions and then the approval expires, we just want the applicant to be aware that a lot of municipalities don't have an expiration provision for site plans, the Town of New Windsor does.

MR. ARGENIO: Okay, the applicant should confirm the status of any permits and/or approvals necessary from the Army Corps. of Engineers, can you tell us about wetlands and how they relate to the property?

MR. WINGLOVITZ: There's a wetland on site at the southern portion, this is Route 300, the railroad tracks, the only wetland areas in the southern portion

of the site we're not disturbing any wetlands and there's a J.D., Jurisdictional Determination on file with the Town.

MR. ARGENIO: What about the status of the SWPPP?

MR. WINGLOVITZ: It's been prepared, in fact, it's been approved by the DEC for greater than five acre disturbance, Mark says the Town has I guess under the new Phase 2 requirements has adopted regulations requiring the Town's review of that, we have no problems submitting it to the Town for review and approval.

MR. ARGENIO: You have that but Mark doesn't have it?

MR. EDSALL: Right.

MR. WINGLOVITZ: There was one submitted as part of the EAF and it was approved at the time and you guys have updated your ordinance and we'll give you our copy of that for your approvals, we updated it to bring it up to the current actually when this started it was under five acres now it's one acre so we had to update our whole report.

MR. ARGENIO: What's Glen Marshall have to say, have you spoken to him about this?

MR. EDSALL: Not of late, I'm raising the issue because in going through the file there was a lot of discussion during 2002 about the section of the Old Forge Hill Road and there was going to be an offer of dedication so if the Town ever wanted to make that a through road which is unlikely given the grades but is still something that was discussed in 2002 as being--

MR. ARGENIO: Was there an issue with the railroad tracks?

MR. EDSALL: Yeah, the railroad tracks if they ever--

MR. BABCOCK: The elevation.

MR. EDSALL: If the railroad tracks were eliminated the whole ball game may change.

MR. WINGLOVITZ: Right, we have actually designed these units to be set back so they meet setback requirements if this became a Town road through the site and we showed a dotted line and talked about, had a plan regarding that so that everybody was on notice that some day some way it may become a Town road.

MR. EDSALL: So the discussion back then was that we would ask the applicant I believe we had gone through the whole exercise of having descriptions done, we had the offer, the Town wouldn't exercise it at this point I'm sure but I'm, we're asking that you have the note on the plan and in the perspectus with the Attorney General you indicate that has been offered for dedication and could become a Town through road and that there be a declaration filed that's cross referenced in any deeds saying that it could in fact be a Town road at some time in the future.

MR. ARGENIO: This is a while back but I seem to remember we also discussed on this application in lieu of the historical location that it's in did we also discuss stone walls on both sides of the road?

MR. EDSALL: They're on the plan from 300 up to the first intersection.

MR. ARGENIO: You did include them?

MR. WINGLOVITZ: Yes, again, there's a big discussion about whether they should be dry laid stone walls or whether on footings.

MR. EDSALL: You're remembering more details than I am but I did check to make sure that the stone walls that the board wanted are on the plan on the right-of-way lines from 300 back to the first intersection.

MR. ARGENIO: Lighting, Mark?

MR. EDSALL: Lighting I don't know if there's any further discussion.

MR. WINGLOVITZ: There's a 12 foot pole specified with a shielded fixture on site and site lighting shown on the plan a long time ago.

MR. ARGENIO: I see we have it opened up here, okay, so Mark, you've gone through these fairly thoroughly, made sure that they meet current--

MR. EDSALL: File is real thick and I have tried on this list to include any conditions that would meet all the requirements over the years that we have talked about.

MR. MINUTA: Could someone briefly elaborate on the historical significance of this site so I can come up to speed?

MR. EDSALL: It's in an overlay district, historic corridor.

MR. ARGENIO: That whole corridor is historical down 300 because of the Cantonment, anytime anybody does something in the corridor, I don't mean to interrupt, I got the whole chapter and verse a few years back because I asked the same question that you did, the whole corridor is historical because of the Cantonment for obvious reasons. So anything that's done in that area and I don't know exactly where it begins and ends, probably begins somewhere up near Duggan, Crotty and Dunn's old office, comes south, probably ends somewhere

near Vails Gate.

MR. EDSALL: Yeah, starts to fade out in this area, that's why if you look at the entrance, there's an attempt to have the stone walls have some features on the entrance and have that entrance area less disturbed.

MR. ARGENIO: So again--

MR. SCHLESINGER: I had some construction work done in that area and the Historic Society requested that the building be constructed in a manner that is historic.

MR. MINUTA: Conducive to the period essentially.

MR. ARGENIO: Is that your restaurant, Neil, you have a historic building there, is that right?

MR. SCHLESINGER: Historic area, historic building and I don't know whether it's relevant to this, I don't know how far, I remember who the historian was ten years ago but if Mr. Marshall, I don't know what kind of input he gave to you.

MR. WINGLOVITZ: It was complete.

MR. SCHLESINGER: Other than the stone walls personally I'd hate to see pink vinyl siding on the buildings.

MR. WINGLOVITZ: There was a complete historical and prehistorical evaluation done of the site and that was reviewed by the Town historian and by the state and approved by both.

MR. SCHLESINGER: So you have some sort of approval as far as what needs to be done?

MR. WINGLOVITZ: Yes, all part of the SEQRA process.

MR. SCHLESINGER: I'm assuming there was a public hearing?

MR. EDSALL: There was a planning board public hearing.

MR. MINUTA: Were those approvals for the development itself or the aesthetics of the building?

MR. WINGLOVITZ: For the development for disturbance, not disturbing any historical resources, no historical buildings directly adjacent so there's no architectural so really for cannon balls and arrowheads.

MR. SCHLESINGER: So aesthetically nothing was addressed.

MR. CAPPELLO: Well, the plans were, I mean, this project underwent a coordinated SEQRA review, so all the documents were submitted to your historian, everything went to all the agencies, so this was a significant lengthy review of the entire plans.

MR. SCHLESINGER: Why don't you just beam me up and tell me how we're building the buildings, how is that constructed?

MR. WINGLOVITZ: There's no adjacent architecture that was established as historical.

MR. SCHLESINGER: I'm asking the question now, stone, brick, wood siding?

MR. WINGLOVITZ: We looked at the Colonial style of the units architecture but there wasn't a materials requirement because these are not historic buildings.

MR. EDSALL: What they're trying to say is given the fact that the Town has a historic overlay district here what can you tell us about the finish so it may fit in?

MR. WINGLOVITZ: Boy, there's going to be stone used on the buildings, stone and brick, that's quite a bit of the theme on these buildings, we know a little bit more now than we did then, I don't know what the siding material is going to be, that's going to be up to the individual builder who ends up building the project.

MR. MINUTA: Well, to that point I think it would behoove us to understand whether it is of Colonial nature or are we doing builder's specials where we're doing brick and the rest of it is vinyl siding and a couple of pre-fab buildings.

MR. WINGLOVITZ: Does the board have a separate architectural review or no?

MR. ARGENIO: We don't, we do not have an architectural review as part of the planning board but the purview of that and correct me if I speak wrong, Mark, that would fall under the Town Board and certainly they would accept our recommendations, I don't want to speak for them.

MR. EDSALL: The only difference between this and every other place in Town is that this is in the historic overlay district, if it wasn't, I don't think you'd be having this discussion so it would just help to understand what you guys are going to do.

MR. SCHLESINGER: I had a discussion with somebody today and irrelevant to this plan and had nothing to do with that and it was explained to me that it is the jurisdiction of the board, the planning board so that's under our auspices.

MR. ARGENIO: Andy?

MR. CAPPELLO: I can respond as far as jurisdiction of the board, the board adopted a negative declaration under SEQRA examining the aesthetic impacts, examining

the impact on the historical features and they made a decision on this plan. So I would say it is in the purview of the planning board and you made your decision on this application after a full coordinated SEQRA review that was copied to the State Historic Parks, it was copied to your historian that was subject to a public hearing and subject to over probably a year and a half minimum review. The only reason this isn't up and built is at the time we were asking for final approval, the Town adopted a water moratorium, we have health department, we have all the approvals so we're really here to say the condition now that it is about to be lifted we, you know, are ready to build obviously we'll respond to your questions but I think that issue has been discussed ad infinitum.

MR. ARGENIO: This application predates most of the board members so you need to be a little patient here.

MR. KRIEGER: Let me see if I can put that more succinctly, it is within the jurisdiction of the board in connection with SEQRA review, the historical questions that are being raised it was reviewed, it was part of the SEQRA review, it was acted on.

MR. MINUTA: Does that relate to the planning of the community and the layout or does that relate to the planning and the buildings and the three dimensional value of this property?

MR. KRIEGER: I'm not sure.

MR. MINUTA: For the SEQRA process we can discuss aesthetics, we can go on a litany of items. The real question here is with regard to the planning, is everything appropriate in the aesthetics of the property? I have no issues here with the development, I have no issues here with the site plan, I think the real issue that we're coming to terms with here tonight is that it's the historic overlay district, we have not

reviewed or seen this property as it is, all the other items may be fine but this I do believe because of its location has the significance that should be addressed.

MR. KRIEGER: Part of the, yeah, the portion of the SEQRA review that has to do with historical review merely talks about, talks in general about the historical impact. Now, so that would encompass all the things that you're talking about, however bearing in mind that the SEQRA review was done in what '02?

MR. WINGLOVITZ: October of '02.

MR. KRIEGER: Now, the question is before you can decide whether to revise it in any way, if anything has anything changed since '02, if something has, then you're free to look at it, if nothing's changed--

MR. EDSALL: What has changed in speaking with the building inspector is the overlay district might have been created after this application was before the board, the guidelines for how to treat the overlay district were developed, have good changes after the SEQRA documents were circulated and worked on.

MR. BABCOCK: I don't even think there's any guidelines, that's the problem.

MR. WINGLOVITZ: Clearly in the overlay district when we started this that's what kicked us into the archeological review.

MR. EDSALL: There was not an actual district, an overlay district.

MR. WINGLOVITZ: There was a map that showed the site being on it but there's two types of historic districts, there's architecturally historic districts, downtown Town of Warwick part of that was making sure the architecture fit in, that's not what we're talking

about, it's really not that type of architecture that exists in this area.

MR. MINUTA: How would that differ?

MR. WINGLOVITZ: There's no buildings.

MR. MINUTA: There are, they're just more dispersed.

MR. WINGLOVITZ: Yeah, over the whole area but there's no real historical architecture or theme or anything like that that we're trying to fit into.

MR. ARGENIO: I don't want to re-invent the wheel, I don't disagree with your point, Neil and Joe but what I don't want to do, I don't want to go back to square one with this, I think this community, these condominiums, they stand by themselves pretty much on the back side of those Forge Hill Apartments and there's a lot of new homes around there, I don't see at least to my knowledge in this specific location where there's any historical buildings that we're going to need to match here. I don't see it, that was the logic when this thing went through and I'm trying to jar my memory here, we wanted to put the stone walls in the front and create some kind of a boulevard entrance to make it look nice because the traveling public going up and down 32 is going to see that and they're going to be riding up and down through the historic district and that was the genesis of trying to doll up the entrance, now I don't see us backing up here and telling these guys that we need on this application a bunch of architectural renderings and dictate to them that they have to do this, that or the other thing. As I said, that doesn't mean that I think Neil's suggestion was good and I think you were going along with it, Joe, that it should be some type of Colonial style with some natural features in the front, i.e., stone or brick in keeping with a country or Colonial fashion. Do you guys agree with that?

MR. WINGLOVITZ: I can live with that wording, not a problem.

MR. SCHLESINGER: Well, what you're saying is what I'm saying, I don't want pink, I wouldn't like to see pink vinyl siding.

MR. MINUTA: I don't want to re-invent the wheel again, I don't want to go back to the SEQRA process, but I want some assurances that when this is fully developed it's something the Town and people who live in this Town can associate and be relative to with respect to the historic nature that we have in this Town.

MR. ARGENIO: In this area. You guys agree with that?

MR. WINGLOVITZ: I can live with the wording the chairman put.

MR. ARGENIO: Obviously there will be vinyl but we'd like to see some natural stone work on the front.

MR. EDSALL: Avoid whites.

MR. ARGENIO: There's a good suggestion, avoid whites. Earth tones with some kind of natural stone.

MR. EDSALL: Can you create a note to be added to the plan?

MR. WINGLOVITZ: Yes.

MR. EDSALL: That will soften it.

MR. MINUTA: Stone is not necessarily indicative of this either, just a matter of the style.

MR. GALLAGHER: Are these going to be seen from 300?

MR. WINGLOVITZ: Sa far as wooded area between us and them trying to preserve here, part of it is on the state highway, part of it is on our property as well so this is the stone embankment, probably 60 feet so the wooded area is here.

MR. ARGENIO: That's a very good point.

MR. SCHLESINGER: I have one other thing on my plan I only see one dumpster.

MR. WINGLOVITZ: There's several dumpsters located throughout the site.

MR. SCHLESINGER: Why don't you look at my plan, it's open already.

MR. ARGENIO: I've got three or four.

MR. WINGLOVITZ: One there, one there, one over there, actually, I think we show, we talked about, I don't know what happened, Mark, this is a long time ago, we talked about curb side pickup?

MR. ARGENIO: I don't know, I don't think, I don't want to back up but I'm not a big fan of curb side pickup.

MR. WINGLOVITZ: That was the end result, that's why we ended up showing the locations.

MR. ARGENIO: Mark, is there a code for that?

MR. EDSALL: For dumpsters?

MR. ARGENIO: Yes,

MR. EDSALL: No, it's the board's discretion.

MR. ARGENIO: Mark, they got three dumpsters here, what do you think of that, typically, do you think that's

enough?

MR. BABCOCK: How many units?

MR. WINGLOVITZ: 124.

MR. BABCOCK: What's RPA, how many units?

MR. WINGLOVITZ: Would the board like another dumpster?

MR. ARGENIO: I don't know.

MR. GALLAGHER: Single dumpster.

MR. WINGLOVITZ: There's a whole enclosure detail, we were asked to look at Washington Green.

MR. SCHLESINGER: The way I look at it hopefully is the way you'd look at it, if my mom was living in one of those homes, I don't think I'd want her to walk so far with her garbage to that dumpster. Do you agree?

MR. WINGLOVITZ: Sure, I agree.

MR. SCHLESINGER: You agree?

MR. WINGLOVITZ: Yes.

MR. ARGENIO: Can you find a spot?

MR. WINGLOVITZ: We can find a spot for another dumpster.

MR. ARGENIO: Equally spaced on the bottom of the page somewhere between 1,300 and 1,800?

MR. WINGLOVITZ: Yes.

MR. ARGENIO: Can we do that, Mark, can you help us with that?

MR. EDSALL: Yes, I'll work with them.

MR. SCHLESINGER: That's fine.

MR. ARGENIO: We had lengthy conversations with that going back a few years, it was a few years ago but there were lengthy conversations, that's why they've been here so many times.

MR. MINUTA: Just picking up on some of the details.

MR. WINGLOVITZ: Dumpster details, the light poles, Colonial throughout.

MR. SCHLESINGER: I just hope that you understand speaking from myself I haven't seen this plan before this is three years ago I sure as heck don't want to go back to square one and, you know, it's something that we normally review on everybody's plans and we're just trying to make it work for you and for us.

MR. WINGLOVITZ: Understand entirely.

MR. EDSALL: I'll work with them on adjusting the dumpster locations and increasing it to four.

MR. WINGLOVITZ: That's not a problem.

MR. EDSALL: There might be a better location for the one that's near the top of the entrance.

MR. ARGENIO: Yes, Dan pointed this out to me just now.

MR. MINUTA: Are these all condo units or do we have a central hall of some sort?

MR. WINGLOVITZ: All condominiums, there was actually a clubhouse proposed but we agreed to make that open space wooded area, leave it instead of clear it, it was

at the entrance.

MR. ARGENIO: No basements in these units, correct?

MR. WINGLOVITZ: No, there's no basements, well, there's a garage under on these and there's walkouts so there is basements.

MR. ARGENIO: They're not subsurface, they're not below the ground?

MR. WINGLOVITZ: Yeah, halfway.

MR. MINUTA: How many bedrooms are we looking at?

MR. WINGLOVITZ: Three bedroom.

MR. ARGENIO: Refresh my memory too on the future road stub, you're not paving that, correct, it's just going to be dedicated by metes and bounds?

MR. WINGLOVITZ: Yes.

MR. ARGENIO: That was a big issue, Neil, there's a couple places that have a dead-end, what do you do with the snow? Mark, I've read through your comments, I think we've addressed most of them, I think the board has brought up some very good thoughts, you have some subject-to's here, is there approval from the fire inspector, highway is good, Mike.

MR. BABCOCK: Yes, it's all been done.

MR. ARGENIO: You're going to need DOT permit, is there anything else, Mark, that you're--anything else?

MR. EDSALL: No, if you're so inclined, you could use the conditions that are listed and then add the submittal of the SWPPP for Town record adding the note regarding the building finishes and then the dumpster

issue of going from three to four and adjusting the locations.

MR. ARGENIO: And your subject-to's are the bullets contained in number 9, is that right?

MR. EDSALL: Correct.

MR. ARGENIO: Other stuff I think we've addressed. Does anybody have anything additional? And if we contemplate this, this is for preliminary approval?

MR. EDSALL: Final.

MR. ARGENIO: Final approval and you have to get subject to water you have to get.

MR. EDSALL: That's one of the conditions, obviously, also there's the sewer issue that the sewer has to be finally written off on, I'm not quite sure if there's the requirement for allocation and if it's been done if it's been signed but all those issues would get resolved.

MR. ARGENIO: You've addressed sewer, yes, you did, okay, that being said, I'll accept a motion for final approval for Covington Estates on Route 300. I'll read in the subject-to's.

MR. SCHLESINGER: I'll make a motion for the final approval for Covington Estates site plan.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that New Windsor Planning Board grant final approval to Covington Estates on Route 300 site plan subject to the bullets that Mark has in number 9, I'm not going to read them, Fran will get them off the minutes, subject to the addition of a dumpster enclosure which Mark will

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review the location of that enclosure, make sure that it is appropriate, subject to you folks getting the Storm Water Pollution Protection Plan as part of the final drawings to Mark and subject to a note being put on the plans to the effect of and Mark will review the note the effect of the facades and the buildings need to be of Colonial style utilizing natural earth tones with a very limited use of the color white and some natural either brick or stone on the facade of the building. If there's no further discussion from the board members, I'll have a roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

CALLAHAN/CREAGAN_LOT_LINE_CHANGE_(05-28)

Mr. William Hildreth appeared before the board for this proposal.

MR. ARGENIO: This application proposes conveyance of approximately .29 acres from lot 17.22 to lot 19, the plan was previously reviewed at the 14 September, 2005 planning board meeting. Mr. Hildreth?

MR. HILDRETH: Okay, so far you're correct this plan was referred to the zoning board for bulk variances for which they held a public hearing on the 20th of February and the variances were granted, those variances were for lot area and rear yard setback on the Creagan lot which is the larger of the two, that's an unused back yard area, it's been undeveloped since the Creagan's bought it in '86, just going to be attached to the Callahan lot and basically it's a swap of back yards.

MR. ARGENIO: Where is this?

MR. HILDRETH: Fernandez Drive is between Union Avenue and Silver Spring Road, if you look at upper right-hand corner you can see the location plan, it's Union Avenue which is east of 94 and west of 9W.

MR. ARGENIO: I think I'm with you.

MR. HILDRETH: This is, if you didn't know this was here, you wouldn't know it was here, if I can be silly for a moment, very quiet, little neighborhood, small houses, small lots and again I selected this tax map as a location plan for a reason. You can see that what we're doing is not out of line with the other lots, it's an older section of New Windsor, but in any event we received our variances from the ZBA, for the board's information there was 67 notices sent out, no response, nobody showed up. This board was going to refer this

to Orange County Planning back in September, I don't know.

MR. ARGENIO: It went to Orange County Planning and came back as local determination.

MR. HILDRETH: Okay, that's good. Other than that, I don't think the board took any action on SEQRA or anything else.

MR. ARGENIO: So what you're doing you're taking a lot line off the lower third of the lot and you're moving it to a diagonal position and you're taking one large lot and one small lot and you're making two medium size lots, is that close?

MR. HILDRETH: Yeah, almost ended up the same size but actually a little closer to the median, the Callahan lot when you're all done is going to be slightly smaller than the Creagan lot was to begin with.

MR. ARGENIO: Which one is the Callahan lot?

MR. HILDRETH: Faces Fernandez, which is the lower one. It's important that you understand where the lines are and where they're going cause--

MR. ARGENIO: Bill, do you have anything else with that?

MR. HILDRETH: No, that's it.

MR. MINUTA: Not creating any nonconformances?

MR. HILDRETH: Yes, we got variances, the ones we're creating were rear yard and lot area and we got variances for them.

MR. SCHLESINGER: You want to address the public hearing bullet? Being that they didn't have a very

good turnout at the ZBA and I don't see the necessity for a public hearing.

MR. ARGENIO: I think it's a waste of time too, what do you guys think? I'll accept a motion that we waive that at our discretionary judgment.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that we waive the public hearing for the Callahan/Creagan lot line change.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Who else has comment on this? I think this doesn't get much cleaner. He has his variances, no comments at the zoning board, we need to address SEQRA. I'll accept a motion for negative dec.

MR. MINUTA: So moved.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that we declare a negative dec on the Callahan/Creagan lot lane change. No further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE

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MR. ARGENIO AYE

MR. ARGENIO: Guys, I don't think there's anything else here, at least I can't see anything. Does anybody have anything additional to add?

MR. SCHLESINGER: Make a motion to accept the lot line change for the Callahan/Creagan application.

MR. MINUTA: Second it.

MR. ARGENIO: Motion has been made and seconded that we grant final approval for the Callahan/Creagan lot line change on Fernandez Drive. No further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

FRANK_&_TANYA_MESSINA_SUBDIVISION_(06-05)

MR. ARGENIO: Messina subdivision on Beattie Road. Who are you? Let me just read this. Application proposes subdivision of the 6.2 point plus acre parcel into two single family residential lots, the plan was reviewed on a concept basis only.

MR. QUEENAN: I'm John Queenan from Lanc & Tully Engineering.

MR. QUEENAN: We're taking 6.2 acres located at the corner of Route 207 and Beattie Road, basically the proposal is to subdivide it into two lots, lot 1 would be about three acres in size, existing house, well and it's on septic pretty much down the length of the property lot 2.

MR. ARGENIO: Are you extinguishing a lot line somewhere?

MR. QUEENAN: No, all one parcel.

MR. ARGENIO: Go ahead.

MR. QUEENAN: We did soil tests with the Town Board engineer, all the tests were satisfactory, access would be off of Beattie Road from the existing driveway on lot 1 and new driveway on lot 2 and that's pretty much it, we're not seeking any variances, everything meets the code.

MR. ARGENIO: Any sight distance issues with the driveways?

MR. QUEENAN: No.

MR. ARGENIO: Old one staying where it is?

MR. QUEENAN: Yes and the newer one is about 350 feet,

you can see right to the intersection with 207 and it goes to the other side for about 660 feet or so each way and we're proposing a new drainage culvert to go underneath the driveway also to be paved in the Town right-of-way.

MR. ARGENIO: Mike, did Anthony see this yet?

MR. BABCOCK: Doesn't appear to be, I'm looking for that, Mark, do you know whether that happened or not?

MR. EDSALL: I did not get a report back from him so it might very well be still under review.

MR. BABCOCK: Says you need a typical driveway detail, is that what you're saying, Mark?

MR. EDSALL: Yeah, they did add that but because we discussed that at the workshop they do need to make a couple corrections but I really don't think there's any significant problem but I'm sure we'll hear back from Anthony.

MR. ARGENIO: No significant problem with the highway issue you mean?

MR. EDSALL: Correct, I think overall to be honest with you it's a pretty straightforward two lot minor subdivision.

MR. BABCOCK: Is this going to the County? Got to wait for the County.

MR. EDSALL: It has not, I don't believe Myra had sent it over to the County but it does need to go.

MR. ARGENIO: This project is within 500 foot distance from a state highway as such must be referred to the Orange County Planning Department as per New York State General Municipal Law, so we have to hear back from

them anyway, we have to wait for County, Mark, is that right?

MR. EDSALL: Yes, I will be working with Myra on the referral following tonight's meeting.

MR. ARGENIO: And we have not assumed lead agency, is that right?

MR. EDSALL: This is the first you've seen it.

MR. ARGENIO: There's no reason we can't take lead agency, this is all Town of New Windsor.

MR. EDSALL: Correct.

MR. SCHLESINGER: Make a motion that the New Windsor Planning Board assume position of lead agency under the SEQRA process.

MR. MINUTA: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board take a position of lead agency on the Messina minor subdivision. If there's no further discussion amongst the board members, I'll have a roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Mark, what about the sanitary sewer disposal, the west end of the Town is always, there always seems to be an issue out there with the perc tests.

MR. EDSALL: They were witnessed and my rep indicated that they were acceptable, now it's just a matter of taking that data, confirming it and verifying the designs.

MR. ARGENIO: Okay, on the lot number 2 is there any problem with the well location, Mark, what's the offset requirement, Mike, for a well, looks awful close to the property line, it's proposed, right?

MR. EDSALL: I believe the minimum is 20 feet, 15 or 20 and it's at least that.

MR. ARGENIO: We have to wait for planning, is that right Andy?

MR. KRIEGER: Yes.

MR. EDSALL: You can take care of number 5.

MR. ARGENIO: Yes, that's where I'm headed, we need to wait for Orange County Planning in any event so what's the board's opinion on a public hearing for this application?

MR. SCHLESINGER: There's only one notice that has to go out, is that right?

MR. BABCOCK: No, I'm sure there's more than one, it's within adjoining neighbors, I'm sure there's two or three on one side across the street.

MR. MINUTA: We should probably have one.

MR. ARGENIO: Yeah, I kind of feel while I don't want to jam things up and certainly I would rather move competently and expeditiously than move slowly we need to wait for Orange County Planning anyway so I think the public hearing is probably not a bad idea

historically when we're on the fence we tend to default to having it and then for everybody's benefit yours included sir and your client we can say that we did have it and we did elicit opinions. So let's, do we need to vote on that?

MR. BABCOCK: Yeah.

MR. ARGENIO: Motion we schedule a public hearing.

MR. SCHLESINGER: I'll make a motion we set up a public hearing for the Messina minor subdivision.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that we schedule a public hearing for the Messina minor subdivision.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: I don't know how much further we can go, I think that's--

MR. EDSALL: That's all you can do tonight.

MR. QUEENAN: We just wanted the discussion of the public hearing, do you know what the date of that would be?

MR. ARGENIO: You should get with Myra on that.

MR. BABCOCK: You really should have highway approval, I'm sure it's a minor detail but get that approval then

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we'll set you up.

HIGHVIEW_ESTATES_SUBDIVISION/LOT_LINE_CHANGE_(06-09)

MR. ARGENIO: This application proposes a lot line revision followed by the resubdivision of each lot, let me read that again, so a lot line revision followed by the resubdivision of each lot. Somebody's going to have to clarify that for me and the construction of a private road to serve the resultant four lots. The plan was reviewed on a concept basis only. Somebody here to represent this application?

MR. ZIMMERMAN: Yes, my name is Gerry Zimmerman, engineer representing the applicant, Mr. Biagini.

MR. ARGENIO: Okay.

MR. ZIMMERMAN: And basically as you indicated, the property in total consists of ten acres, there's two five acre lots that were previously approved by this planning board, what's being proposed is to subdivide the two lots that currently exist into four lots so we're creating two additional lots so the lot line change is because the new lot lines don't fall on the original lot line and the subdivision is the creation of the two additional building lots. Now the property currently contains two existing dwellings which were built on each one of the 5 acre lots so as you can see on the plan lot number 4 in its subdivision has an existing house and lot number 1 in the subdivision has an existing house and those two dwellings serve off of an existing Town road which is Paul Court, driveways are shown going to those dwellings and what we're proposing is to construct a private road which is going to come in off Paul Court, end in a cul-de-sac and that private road is going to serve the two new proposed lots lot number 2 and lot number 3 so that's what the proposal is.

MR. MINUTA: Let me understand this, this was approved once before with two lots now they're coming back for

another two lots?

MR. EDSALL: Correct.

MR. ARGENIO: Had two and they're making four.

MR. MINUTA: Why did we not go for four in the beginning?

MR. ZIMMERMAN: At the time--

MR. MINUTA: Some sort of--

MR. ZIMMERMAN: Well, at the time that the applicant originally came in there were, there was more property within this subdivision and he has as indicated on the vicinity map there were other lands contained within the overall property. So at that time he built or created Paul Court and lots off Paul Court tow of which were these so at that time the feeling was that he wanted to do the lots off Paul court and create these two large lots.

MR. MINUTA: There were no wetlands issues, no other area issues?

MR. ZIMMERMAN: That's correct.

MR. ARGENIO: So this now will be requiring to go to the Department of Health, Mark, is that correct?

MR. EDSALL: It's my understanding unless there's a timing that's expired that I'm not aware of.

MR. ARGENIO: That's the case.

MR. EDSALL: It's my understanding it would go to the health department.

MR. ARGENIO: When did the last subdivision occur?

MR. ZIMMERMAN: The original subdivision was December of 2003.

MR. EDSALL: So it could go, would go to the health department.

MR. ARGENIO: What's the threshold?

MR. EDSALL: I think it's three years, Mr. Chairman. Just two corrections or actually two items on my comments, under the first bullet under 2 when I updated the comments there's a profile on here and it's fine so that's not needed to be added. The other issue which I did not get a chance to talk to the highway superintendent on was whether or not he had a problem with the angular access onto Paul Court, normally you come in at a 90, just wanted to mention it so that we don't have the applicant blind sided if the highway super decides he wants you to turn the end a little bit more perpendicular.

MR. ARGENIO: I don't want to speak for Anthony but I don't see that as a huge issue considering the fact that when you look to your left you're looking at a dead-end cul-de-sac 300 feet wide.

MR. EDSALL: The difficulty is not the convenience of going in and out, it's that your view of people coming from the left is hampered in the fact that you're having to turn further to see if there's vehicles coming down the hill.

MR. ZIMMERMAN: Could I, I tried to make it as much at a right angle as I could cause you're coming in at an angle on the right-of-way but I guess we have enough room to kind of turn that a little more.

MR. BABCOCK: Have you talked to the highway superintendent?

MR. ZIMMERMAN: No, I haven't.

MR. BABCOCK: I'll make a note that we send the plan to him.

MR. KRIEGER: Mr. Chairman, this application refers to Romeo and Diaz properties, I assume those were the two persons to whom the original two lots were deeded?

MR. ZIMMERMAN: That's correct.

MR. KRIEGER: Can you show the board on the map which, where the original two lots were?

MR. ZIMMERMAN: Yes, I could show it on the plat.

MR. ARGENIO: Why don't you take a highlighter.

MR. EDSALL: Want to see it, save you the trouble, it's just to the left of the new division line, that's the original lot line.

MR. ZIMMERMAN: They're the current owners and they're a party, they prepared, signed the application and they're part of the application.

MR. KRIEGER: There are records that show that?

MR. BABCOCK: Yes.

MR. KRIEGER: So there's not a question anymore.

MR. ARGENIO: Planning board may wish to authorize issuance of a lead agency coordination letter for the project to begin SEQRA review process, the applicant should submit five sets of drawings. I'll accept a motion that we circulate a lead agency coordination letter.

MR. MINUTA: Make a motion we circulate lead agency coordination letter.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board circulate a lead agency coordination letter on the Highview Estates minor subdivision lot line change. If there's no further discussion, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: I think that I'd like to get feedback and number 5, Neil, what do you think about that, the public hearing?

MR. KRIEGER: Mr. Chairman, I rarely have anything to say but in view of the history of this particular application I think that I would advise the board to have a public hearing, would be a good idea.

MR. ARGENIO: Thank you, Andy.

MR. SCHLESINGER: I was going to say I think that we should.

MR. ARGENIO: Howard?

MR. BROWN: I think it's in the best interest to have a public hearing.

MR. GALLAGHER: I go along with the board.

MR. ARGENIO: My logic on that is that I think if I bought, if I bought a lot in that original subdivision and the guy who sold me the lot being the developer or whoever it was went back to the planning board and attempted to cut up, chop up or subdivide any parcel of what's left I'd darn well want to know about it. So I think you guys are right, we're going to have a public hearing. I'll accept a motion.

MR. SCHLESINGER: Motion made.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board schedule a public hearing for the Highview Estates minor subdivision lot line change. If there's no further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Applicant should determine the area of disturbance related to the project, has a determination been made as to the submittal requirements of the storm water plugs plan regulations?

MR. EDSALL: Six and seven, Mr. Chairman, are things that I'm going to request the applicant give us some feedback on that and as well just verify if there's any agricultural operations, farm operations within 500 foot that would require to go to County Planning, if we don't do it, it will hang you up. I don't want to see that happen, if we need to make the referral we will. If you want us to make it anyway we'll do that as well.

MR. ZIMMERMAN: I would think so, yeah.

MR. EDSALL: Just let us know.

MR. ZIMMERMAN: I'll call you, let you know.

MR. ARGENIO: I don't know what else, how much further we can go with this. I think that's about it, Mark, am I missing anything?

MR. EDSALL: No, that's as far as you can go and we'll work with Gerry to get things ready.

MR. ZIMMERMAN: So, well, obviously we'll do the revisions and call Myra about the public hearing.

MR. ARGENIO: Schedule a public hearing, right.

MR. BABCOCK: You really should find out about whether we've got to go to the County or not.

MR. ARGENIO: I'm unclear on that, you said yes, does that mean yes, you want Mark to refer it or yes you're going to find out if you're within 500 foot of an agricultural district?

MR. BIAGINI: We're not.

MR. ZIMMERMAN: So you can find it out and refer it to the County.

MR. BIAGINI: Why would he refer it, we're not within 500 feet?

MR. ARGENIO: He's saying he's not within 500 feet of the agricultural district, Mark, do you have reason to believe that's untrue, is that why you have the comment or you just don't know?

MR. EDSALL: I have no knowledge of any agricultural district or farm operation within 500 foot, obviously, the applicant and his consultant know the area as well or better.

MR. BIAGINI: It's all woods.

MR. EDSALL: We'll take that as there is no need.

MR. BABCOCK: What I was actually saying was County Health Department.

MR. EDSALL: It does need to go to county health but it can't be until after preliminary approval so we'll move forward on the public hearing.

MR. ARGENIO: Thank you, sir.

ADC_WINDSOR_LOT_LINE_CHANGE_(06-10)

Mr. Gregory Shaw of Shaw Engineering appeared before the board for this proposal.

MR. ARGENIO: I don't have an opening paragraph so you're very likely here for something that's relatively simple.

MR. SHAW: Well, it is relatively simple. This subdivision was approved by your board probably July of last year, June, July, it was a 38 lot subdivision, bonds were posted, drawings were filed in the County Clerk's Office and it's presently under construction or at least the main boulevard is under construction. What we have done is we have expanded the storm water facility on this parcel.

MR. ARGENIO: This is the one where they're roughing the road in off Kings Road, the big one?

MR. SHAW: The big one, all right, and there's two parcels, okay, one is parcel lot 28 which is presently about 10.15 acres and then parcel B which is down at the intersection of the new road and King's Hill Road and that's about 7/10 of an acre, that's what physically exists right now and you'll see that this is the lot line that separates the parcel B which has storm water management facilities on it from parcel 28. What we're asking to do is to move the lot line to increase the area of parcel B, now this parcel's going to be dedicated to the Town of New Windsor and the reason that we're moving it is cause we're expanding the storm water management facilities on that lot so what's going to happen is that lot 28 which is 10.15 acres now will be reduced down to 4.7 acres and parcel B which is approximately 7/10 of an acre will increase to about 6.2 acres, both are owned by my clients as surrounding parcels of the subdivision, none of the homes have been conveyed as you mentioned the road's

not even built yet, so we just found a better way to handle the storm water management and to do that we need to expand the lot that's going to be dedicated to New Windsor.

MR. ARGENIO: So why didn't you have the benefit of knowing that this should have been 6 acres before.

MR. SHAW: Two reasons, one we were running up against the October deadline of the zoning change which if we didn't get our approvals in place by then we would have lost the grandfather provisions and would have been forced to go to 80,000 square foot lots so there was a severe time construction and two, we found a better way to make a better mouse trap.

MR. ARGENIO: Let me ask you this question, based on the first comment you made about getting to the finish line, are there three or four or six other things that may come up in the next six months, obviously you're not a fortune teller, things that you didn't anticipate because you wanted to get it through before the zoning change?

MR. SHAW: No. Just two housekeeping items before I made application to this board again because the expansion of this lot is for storm water management we revised our SWPPP and we submitted it in to your consulting engineer for a review and you should have a copy of his correspondence in the file, basically blessed it other than wanting a cover on top of the sand filter and finally because this project was approved by the health department it has to go back out there. Well, we've already gone to the health department, it has been approved by them and again you have a copy of that letter of approval in your file.

MR. ARGENIO: So you've been there already with this change and they responded favorably?

MR. SHAW: It's approved, I have stamped plans.

MR. ARGENIO: You have them Mark?

MR. EDSALL: I believe they're in the Town's file.

MR. SHAW: I submitted them with the application last week so yes, you do have them, so really what I'm asking for is lot line change and again the lots are quite substantial, even lot 28 when we're done with it is going to be 4.7 acres, I mean, that's far in excess of the current zoning of 80,000 square feet and the lot line change did not affect any part of lot 28 that being the house, the driveway, the well or septic, we're 400 feet away from any feature of that lot.

MR. ARGENIO: You have not sold any of those lots yet so there's not going to be any irate residents that are going to show up here because there's suddenly a pond.

MR. SHAW: Mike, have we got a building permit for any lot there yet?

MR. BABCOCK: No.

MR. ARGENIO: Anybody have any questions on this? This is fairly straightforward as far as I can see. Joe, Howard, Andy? SWPPP has been done, it's in the file, Orange County's done, I'll ask about the public hearing.

MR. SCHLESINGER: I think that being that I agree that we're coming up with a better mouse trap and to everybody's benefit that I don't see the necessity of the public hearing.

MR. ARGENIO: Howard?

MR. MINUTA: It's been before a public hearing before?

MR. ARGENIO: This?

MR. MINUTA: Not this particular--

MR. ARGENIO: This drawing was certainly scrutinized.

MR. MINUTA: Okay.

MR. ARGENIO: Yeah, I feel the same way, Neil kind of said it pretty well that I think it's important that none of the lots have been sold, you know. Up in the Town of Newburgh without belaboring the thing, there's a subdivision that we did work on and I won't mention who it is but you guys probably know by the time I finish here, well, they sold some lots in the back, large water tower in the back of the lots and Greg is turning his back, he knows who it is, they were sure to sell the lots before they built the water tower which is kind of sneaky but I don't think you have that here. I'll entertain a motion.

MR. SCHLESINGER: So moved.

MR. GALLAGHER: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing on ADC.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: I think we should, I'll accept a motion that we declare ourselves lead agency.

MR. SCHLESINGER: So said.

MR. MINUTA: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor accept lead agency for the ADC Windsor lot line change and under the SEQRA process. No further discussion by the board members, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

MR. ARGENIO: Negative dec on this too?

MR. EDSALL: Yeah.

MR. ARGENIO: Accept a motion for negative dec for this application.

MR. MINUTA: So moved.

MR. SCHLESINGER: Same time classify the action as it says unlisted action.

MR. ARGENIO: That's negative dec, same thing.

MR. SCHLESINGER: Second it.

MR. ARGENIO: Motion has been made and seconded that the Town of New Windsor Planning Board declare negative dec on the ADC Windsor lot line change off Kings Drive. If there's no further discussion from the board members, I'll have a roll call.

ROLL CALL

MR. SCHLESINGER AYE
MR. MINUTA AYE
MR. BROWN AYE
MR. GALLAGHER AYE
MR. ARGENIO AYE

MR. ARGENIO: We can go right to the end with this one?

MR. EDSALL: Yeah, the only condition would be that they should submit a new description for the dedication for the drainage district and payment of fees.

MR. SHAW: Of course.

MR. ARGENIO: I'll accept a motion for final approval subject to what Mark just read into the minutes.

MR. SCHLESINGER: Motion made to give ADC Windsor lot line change approval.

MR. MINUTA: Second it.

MR. ARGENIO: Motion has been made and seconded that the New Windsor Planning Board grant final approval subject to what Mark just read into the minutes. If there's no further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER AYE
MR. MINUTA AYE
MR. BROWN AYE
MR. GALLAGHER AYE
MR. ARGENIO AYE

CORRESPONDENCE

VALLEY_FIELDS_ESTATES_(SAWYER)_SUBDIVISION_(03-31)

MR. EDSALL: I think Myra received a request for extension of preliminary approval, the note here says for two 6 month extensions but I believe the code is based on one 6 month at a time so I'd give them one 6 month extension, it would be six months from this meeting.

MR. ARGENIO: Anybody have a problem with that? I'll accept a motion.

MR. SCHLESINGER: Make a motion to approve request for one 6 month extension.

MR. EDSALL: Six months from this meeting.

MR. MINUTA: Second it.

MR. ARGENIO: Motion has been made and seconded that we grant 6 month extension to the Valley Fields Estates subdivision. No further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

BRIARWOOD_SUBDIVISION_(01-60)

MR. EDSALL: Requesting their two 90 day extensions of the final conditional and that's allowed in the code.

MR. ARGENIO: Two 90 days are allowed?

MR. EDSALL: That would be the end too.

MR. ARGENIO: That's it, they build or don't build at this point.

MR. EDSALL: Either meet the conditions or come back for pre-approval which would be problematic.

MR. ARGENIO: Accept a motion to that effect.

MR. SCHLESINGER: Make the motion that they get two 90 day extensions for Briarwood subdivision.

MR. MINUTA: Second it.

MR. ARGENIO: Motion has been made and seconded to grant the Briarwod subdivision two 90 day extensions of their conditional approval. If there's no further discussion from the board members, roll call.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

DISCUSSION

MR. ARGENIO: Mark, do you have anything else?

MR. EDSALL: Nothing else.

MR. ARGENIO: Neil?

MR. SCHLESINGER: I had a tough time with the Covington Estates application, it was an application that was before the board a long time ago and they came to us for final approval and I sure as hell didn't want to send them back to square one and we addressed the issues which I felt needed to be addressed, I felt that the applicant was skirting around the point of the aesthetics, you know, he said it's circa blah, blah, blah, I wasn't talking about that, I was talking about the aesthetics, they said it's already been approved, there's no approval, it's under the umbrella of this board to make the applicants subject to what we feel may be appropriate as far as the aesthetics and we addressed them and that's why I gave them the approval. I just hope that Mark crosses his T's and dots his I's, I felt that, you know, as far as the dumpsters were concerned, I said I only saw one because there was only one marked as a dumpster enclosure, the other two weren't marked as dumpster enclosures. So I thought maybe they were incomplete as far as that was concerned and I looked at it as if I wouldn't like my mother who's 75, 80 years old walking 300 feet to dump her garbage. I hope that we cross our T's and dot our I's from Mark's conversations with that.

MR. EDSALL: You'll see the newer site plans the standards as it may be the anticipated requirements of the board have gone up, this project goes back five, six years. One thing I try not to do is if you have already approved it to the extent that you've given it a negative dec, you've already said it's fine, go get your agency approvals, I don't re-invent what you folks

say is okay.

MR. BABCOCK: They had a clubhouse out by the road, board said no.

MR. SCHLESINGER: I'm looking at it through these glasses, not the glasses four years ago.

MR. ARGENIO: I don't have any problem with your commentary of tonight relative to that application, I have no problem, I don't have any problem with yours but what we have to remember keep in mind is that this board did not get conceived on January 1st of 2006, this board existed for many, many years prior to that, it certainly wasn't conceived on January 1st of 2006 or thereabouts and what has to happen here is to some extent, not to, not in its entirety, but to some extent we, that's you, that's everybody here need to rely on the people that preceded us as having some level of competence in reviewing the things that were reviewed.

MR. MINUTA: Agreed but there's also a level of responsibility.

MR. ARGENIO: I have no problem with it.

MR. SCHLESINGER: We're stepping up to the plate and the strike zone's been changed so we're reluctant, that's all, I mean, it got approval, I addressed all the things that I felt were appropriate, I think everybody else on the board did the same thing too, I'm just saying that I had a tough time addressing it.

MR. EDSALL: One issue that Neil brought up that was right on target and we're changing is the parking requirements, we have been getting more and more we're asking for 2 1/2 we're getting closer to 3 sometimes you're getting over 3, it's 3.3, this one is 2, guess what the code calls for, 2, so they meet the law.

MR. SCHLESINGER: I look at it on paper, didn't look good on paper.

MR. EDSALL: We're in the process of recommending to the Town Board that we upgrade the multi-family regulations, the same as we're trying to do the senior regulations.

MR. MINUTA: One of the issues was the historic overlay district and that's something that we should address and discuss as a board as to how do we deal with this district, in my mind, yes, we're the planning board and they asked do we have architectural review commission, that's not necessarily the right question, we're the planning board, it's planning for the Town, it's not just the crossing your I's, dotting your T's of the landscape of the land, it's the aesthetics of the Town and what we as the community representatives see in that, okay, that's why I'm here.

MR. SCHLESINGER: You're saying that's our umbrella.

MR. MINUTA: Yes and we should have that jurisdiction to say look, this is not right for our community and this should be a certain way.

MR. ARGENIO: That's the way the law reads Andy legally.

MR. KRIEGER: You're probably within the permissible bounds but at the boundary line.

MR. ARGENIO: At the edge.

MR. MINUTA: Always.

MR. KRIEGER: In other words, what Joe's talking about is we would probably withstand legal muster if it were taken up on an Article 78, but it's an area where you don't want to go too far and you don't want to abrogate

ourselves to the role of architectural review board which doesn't exist.

MR. ARGENIO: We can look at it but we shouldn't be reckless in that venue.

MR. MINUTA: I think it's important that we try to be good neighbors rather than try to twist somebody's arm.

MR. KRIEGER: It's the general mission statement of the planning board for the health, safety and welfare of the community, yeah, it's probably allowable, I would not like to see a time when the planning board denied an application solely on those grounds.

MR. ARGENIO: I would fully agree with that.

MR. KRIEGER: But I think it's something that should be addressed and I would encourage the board to address it early in the process so it doesn't look like it's an 11th hour gotcha.

MR. EDSALL: The Town Board created this overlay district with no guidelines, what you should do is communicate to the Town Board that you guys are doing a new master plan, you're going to be doing zoning changes, why not give us some guidance in the law so that Andy's job will be easier to defend it.

MR. SCHLESINGER: When I added an addition in front, the Historical Society insisted that the new building blend in with the old, what we're talking about is the same thing. Do you understand and what bothered me they were skirting around it, number one, and number two, if he says yeah, okay, it won't be pink, well, I want to see something on paper like you said, like to see a little stone.

MR. KRIEGER: It doesn't help if they say it won't be pink and turns out to be electric blue.

MR. MINUTA: Let me ask you this question, the question that I have is when something like this is stated is it in the record because you have the developer who comes in, develops a piece of property and sells it, sells it to whoever wants to come in now through that and through the approval process now we have stated tonight we'd like a Colonial feel, is that incumbent on the new owner to provide that?

MR. ARGENIO: Yes if it's a condition of approval.

MR. KRIEGER: As a general rule, yeah, it's a condition of approval, yes, it is, however, there is, it's so much interpretation if you will wiggle room within that description it's so general that I could see a circumstance where somebody got a court to agree that was sufficient compliance whereas you might not think it was sufficient yourself.

MR. ARGENIO: Look, this horse is dead, I understand what you guys are saying, I have no problem with it, this is an old application from way back, it wouldn't be reasonable for us to take these guys and drag them from the beginning with architectural elevations and things like that.

MR. MINUTA: Nobody's saying that.

MR. ARGENIO: Joe, I understand, let's move forward possibly as we move forward if we have something like this early on as I think Mark said or Mike said somebody said if we want them to give us some elevations we'll ask for them, I have no problem with that.

MR. KRIEGER: I think it was I who said it.

MR. MINUTA: Agreed, just my comments are in general for future projects moving forward.

MR. ARGENIO: Joe, I have no problem with it, let's move forward. Anything else?

MR. MINUTA: No.

MR. BROWN: No.

MR. KRIEGER: Just as a word of background because the board members are new here on the Highview Estates application that seemingly straightforward two lots into four lots when the application, the large subdivision was originally granted, the developers deeded out to I believe both the Diaz, although Diaz was not a question, deeded the large parcel out to them with a contract provision that said that under certain circumstances the Romeos would have to deed back to the developer a portion of their property, a dispute then developed between the Romeos and Highview Estates and Romeos weren't about to deed anything, so exercising their contract Biagini went in and said okay, I'm going to deed the other parcel that I'm going to file the deed to myself and he wanted it, this is some time ago the planning board in the Town of New Windsor, okay, well, as Mark pointed out to me and he's absolutely correct, it's an illegal subdivision that they're trying to do.

MR. ARGENIO: There was some shenanigans going on.

MR. KRIEGER: So what happened is we went back to them and said if the Romeos agree, file an application, well, the Romeos didn't agree, they were having this dispute back and forth, they couldn't get the Romeos to agree and that's so we said fine, what you have to do is go to the Supreme Court, you can't subdivide it here just by deed back and forth, back and forth, the upshot is what you see now apparently the Romeos have signed off so that insolvable dispute has been solved.

MR. MINUTA: They signed a proxy.

MR. KRIEGER: That's, you heard me specifically ask and the engineer said that they agreed.

MR. ARGENIO: There was some shenanigans going on but they have been advised by Mark and people in charge in this Town don't come in here and pull that again, it's not the right thing so--

MR. SCHLESINGER: But beyond we're beyond that issue.

MR. ARGENIO: Andy's just telling you.

MR. MINUTA: Are we going to see this for the rest of that subdivision?

MR. ARGENIO: No, it's done.

MR. KRIEGER: No just these lots that's one of the reasons I thought this would be a public hearing that was the reason why I spoke of it first time that I can ever remember doing that.

MR. ARGENIO: Mike, do you have something about RPA, can you tell us about the clubhouse or the pool where we're at with that, please?

MR. BABCOCK: The clubhouse has a C.O. and the pool has a building permit, they're in the process of installing that now.

MR. ARGENIO: When they gonna finish?

MR. BABCOCK: I don't know that they're interested because they're almost completed with that project.

MR. ARGENIO: Do you know if they're going to finish during the swimming season this year?

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MR. BABCOCK: I would expect yes, their holdup was the Orange County Health Department.

MR. SCHLESINGER: 2006 swimming season?

MR. ARGENIO: Yes. Motion to adjourn?

MR. SCHLESINGER: So moved.

MR. GALLAGHER: Second it.

ROLL CALL

MR. SCHLESINGER	AYE
MR. MINUTA	AYE
MR. BROWN	AYE
MR. GALLAGHER	AYE
MR. ARGENIO	AYE

Respectfully Submitted By:

Frances Roth
Stenographer